

2013 DRAFTING REQUEST

Bill

Received: 11/12/2012	Received By: chanaman
Wanted: As time permits	Same as LRB:
For: Administration-Budget	By/Representing: Kirby
May Contact:	Drafter: chanaman
Subject: Justice - criminal	Addl. Drafters:
	Extra Copies:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to:

Pre Topic:

DOA:.....Kirby, BB0093 -

Topic:

Crime Victim Compensation Changes

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 11/13/2012	wjackson 11/19/2012		_____			
/P1	chanaman 1/19/2013	wjackson 1/22/2013	jmurphy 1/22/2013	_____	srose 11/19/2012		
/P2	chanaman 1/25/2013	wjackson 1/25/2013	jfrantze 1/28/2013	_____	lparisi 1/22/2013		
/P3	chanaman	wjackson	rschluet	_____	srose		

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	1/31/2013	1/31/2013	1/31/2013	_____	1/28/2013		
/P4	chanaman 2/4/2013	wjackson 2/4/2013	jmurphy 2/4/2013	_____	lparisi 1/31/2013		
/P5	chanaman 2/10/2013	wjackson 2/10/2013	rschluet 2/10/2013	_____	mbarman 2/4/2013		State
/P6	chanaman 2/13/2013			_____	mbarman 2/11/2013		State
/P7		scalvin 2/13/2013	rschluet 2/13/2013	_____	srose 2/13/2013		State

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2/13

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/P5		/p6 WLJ 2/10		_____ _____	mbarman 2/4/2013		State

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lparisi
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		gm 1/22/13		self			

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/?	chanaman	/p1 WLj 11/19		_____	_____		

FE Sent For:

<END>

Hanaman, Cathlene

From: Peter.Kirby@Wisconsin.gov
Sent: Wednesday, October 03, 2012 1:56 PM
To: Hanaman, Cathlene
Cc: Thornton, Scott - DOA; Wavrunek, Leah J - DOA; Kirby, Peter W - DOA
Subject: [Possible SPAM] Statutory Language Drafting Request
Attachments: 455 Victim Comp Changes.docx

Importance: Low

Biennial Budget: 2013-15

Topic: Crime Victim Compensation Changes

Tracking Code: BB0093

SBO Team: AEJ

SBO Analyst: Kirby, Peter W - DOA
Phone: 608-267-0370
E-mail: Peter.Kirby@Wisconsin.gov

CMH

Agency Acronym: DOJ

Agency Number: 455

Priority: Low

Intent:

Funding adjustments for the Crime Victim Compensation, the Victim/Witness Assistance, and the Sexual Assault Victims Services programs. Please see attached.

Attachments: True

Please send completed drafts to statlanguage@wisapps.wi.gov

**Department of Justice
2013-2015 Biennial Budget
Crime Victim Programs
DIN 6511
September 17, 2012**

Background

Wisconsin has a strong tradition of protecting the rights of crime victims. Article I, section 9m of the Wisconsin Constitution declares that "[t]he state shall treat crime victims...with fairness, dignity and respect for their privacy." It further provides that crime victims shall be entitled to "restitution" and "compensation," as provided by law. As set forth in Wis. Stat. § 949.001, the Wisconsin Legislature has determined that "the state should provide sufficient assistance to victims of crime and their families in order to ease their financial burden and to maintain their dignity as they go through a difficult and often traumatic period."

In an effort to effectuate the state's constitutional and statutory commitment to crime victims, the Department of Justice (DOJ) is directed to administer the following three programs:

Crime Victim Compensation (CVC) program

DOJ's CVC program compensates certain statutorily-defined victims, and dependents of victims who die, for the costs of medical treatment, lost wages, funeral/burial expenses, and replacement costs of clothing or bedding held for evidentiary purposes resulting from the crime. The maximum compensation award for any one injury or death is \$40,000, plus another \$2,000 for burial expenses. The CVC program is a "payer of last resort", meaning it only covers expenses remaining after all other payment sources, such as insurance, worker's compensation, unemployment compensation, etc., have been exhausted. State law mandates compensation for all qualifying economic losses incurred up to the maximum allowed by statute.

Victim/Witness Assistance (VWA) program

DOJ's VWA program provides training, technical assistance and support to victim/witness staff employed in county Victim/Witness Programs, and supports the standardization and professionalization of those services statewide. The program provides reimbursement to counties for a portion of the costs incurred in providing victim and witness services. Under this program, counties must provide such services as: court appearance notification, compensation and social services referrals, court accompaniment and other transportation services, case progress notification services, among others.

Sexual Assault Victims Services (SAVS) program

DOJ's SAVS program provides grants to eligible nonprofit corporations or public agencies to provide, or subcontract to provide, services for sexual assault victims. Services provided through those public agencies include: advocacy and

counseling services, 24-hour crisis telephone services, community education and prevention, and services for children, elderly, physically disabled, and minority groups or other groups of victims that have special needs.

Issues

Due primarily to significant shortfalls in the crime victim and witness surcharge revenue as compared with revenue estimates, the VWA and SVS programs are currently funded well below appropriated amounts. This results in a decline of victim and witness services available through these programs. More detail about the crime victim and witness surcharge revenue can be found in Legislative Audit Bureau Report (LAB) 12-13 and DOJ's response, available at <http://legis.wisconsin.gov/lab/reprots/12-13full.pdf>.

Under Act 32, SAVS was appropriated \$1,815,100, which was subject to but ultimately spared from statutory lapses. SAVS is solely funded by Part B of the crime victim and witness surcharge. However, revenues enabled DOJ to make SAVS grant awards of \$1,474,272 for calendar year 2012, compared with \$2,072,957 and \$2,069,533 for 2011 and 2010 respectively. Current collections on Part B are estimated by the Department to be approximately \$1,500,000 annually, well below the appropriations under current law.

Under Act 32, the legislature appropriated \$6,095,000 to the VWA program, comprised of \$4,074,400 from the crime victim and witness surcharge (portions of Part A and C not transferred to the CVC program), \$1,267,200 GPR, and \$748,900 from the penalty assessment surcharge. If revenue matched the amounts appropriated, \$6.1 million would allow for approximately a 56% reimbursement to counties for costs incurred operating crime victim and witness assistance programs, well below the statutory maximum of 90%. Put into historical context, reimbursement to counties was made at 56%, 57%, and 61% in FY09, 10 and 11 respectively.

Due to crime victim and witness surcharge revenue shortfalls and program deficits in FY12, DOJ was only able to reimburse counties \$4,712,509 which represents only 43% of costs. DOJ estimates that in FY13 crime victim and witness surcharge program reimbursements will support a similar reimbursement rate well below historical levels. DOJ estimates that crime victim and witness surcharge revenue from Parts A and C available to the VWA will be at least \$1,000,000 less than the appropriated amounts annually.

In addition, appropriations for crime victim compensation are below the amounts claimants are statutorily entitled to receive. The program has been structurally underfunded for many years, though adjustments were made in 2009 Act 28 that had the effect of reducing the annual deficit. DOJ has attempted to manage this underfunding by spreading out payments over time. The Attorney General infused over \$400,000 of discretionary funds to pay claimants for amounts owed on claims made prior to FY11. Nevertheless, DOJ entered FY13 with approximately \$1.9 million in

approved but unpaid claims that accrued in FY11 and 12. Absent a special appropriation, this aggregate liability is expected to grow somewhat in FY13, as statutorily entitled claims are expected to surpass available cash. This is, in large part, because restitution amounts and federal VOCA grant dollars have been less than appropriated amounts. Under Act 32, total annual spending authority for the CVC program was approximately \$3.7 million (comprised of GPR, a PR transfer from crime victim and witness surcharge dollars, restitution, and FED), but because the federal award and restitution is not expected to meet actual amounts, it is anticipated that in FY13 the cash available will be between \$250,000 and \$300,000 less. Annual program costs for new claims are expected to be approximately \$3.6 million annually.

Request

Surcharge revenue volatility has created a situation where critical state programs for crime victims experienced sharp declines in FY12, primarily due to crime victim and witness surcharge revenue that was less than anticipated. The current funding structure is overly complex, which contributed to misallocations of revenue among the various crime victim programs by the collecting agencies and the Department of Administration. For these reasons, DOJ proposes a reorganization of the funding structures to enhance the reliability of funding for the SAVS program and to simplify the funding mechanisms. The proposed funding system would provide \$2,000,000 annually to the SAVS program through the penalty assessment surcharge, move all crime victim and witness surcharge revenue to support VWA, and move VWA GPR to the CVC program.

DOJ requests the following:

1. Statutory changes to s.973.045 to eliminate the component Parts A, B, and C; to remove the crediting of Part B to the appropriation under s.20.455(5)(gc) for the SAVS program; and to provide for the crediting of all victim and witness surcharge amounts to the appropriation under s.20.455(5)(g) *Crime victim and witness assistance surcharge, general services*.
2. Elimination of the transfer from 20.455(5)(g) to the appropriation under par. (kj) for the CVC program.
3. Annual transfer of \$2,000,000 from penalty surcharge 20.455(2)(i) to 20.455(5)(gc) for the SAVS program.
4. Redirection of \$1,267,200 for the VWA program under s.20.455(5)(c) to the CVC program s.20.455(5)(b).

Under the schedules in Act 32, this would mean that the CVC program would be allocated \$2,388,100 annually in GPR, \$1,444,000 annually in FED, and \$267,300 annually in restitution PR, for a total of \$4,099,400 annually. Because federal funds and restitution are likely to fall short of appropriated amounts, DOJ anticipates having approximately \$3.8 million available to pay claimants annually under this proposal. DOJ does not recommend changing the expenditure authority for the FED or restitution PR.

After adding crime victim and witness surcharge from the CVC program and the SAVS program to the VWA program, the VWA program would be appropriated \$6,700,000 million from the crime victim and witness surcharge and \$748,900 from the penalty assessment surcharge. Actual crime victim and witness surcharge revenue is likely going to be \$5,600,000 annually, which would provide approximately \$6,350,000 million to reimburse counties. DOJ recommends setting PR spending authority from the crime victim and witness surcharge at \$6,000,000. This will accommodate some revenue growth, should collection practices lead to additional revenue, but will be more realistic.

The effect of these changes is to provide adequate funding for the CVC program and to fund the SAVS and VWA programs at amounts commensurate with previous legislative intent and expenditure authority.

Because the LAB report referenced above indicates a sizeable amount of uncollected revenue, in addition to this request to reorganize and simplify funding, under a separate request item, DOJ is also proposing statutory changes to enhance collection efforts.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-05387

CMH:.....

Wlj

DOA:.....Kirby, BB0093 - Crime Victim Compensation Changes

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

1

AN ACT ...; relating to: the budget.

Do Not Gen

heading

JUSTICE

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

SECTION 1. 20.455 (2) (i) ^{Eme} of the statutes is created to read:

3

20.455 (2) (i) ^{Eme} The amount transferred to sub. (5) (kc) shall be the amount in

4

the schedule under sub. (5) (kc). ✓

5

SECTION 2. 20.455 (5) (g) of the statutes is amended to read:

6

20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

7

The amounts in the schedule for purposes of ch. 950. All moneys received from any

8

crime victim and witness assistance surcharge authorized under s. 973.045 (1) that

1 ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~
2 ~~received from any crime victim and witness assistance surcharge authorized under~~
3 ~~s. 973.045 or (1m), and all moneys received from any delinquency victim and witness~~
4 ~~assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this~~
5 ~~appropriation account. The department of justice shall transfer from this~~
6 ~~appropriation account to the appropriation account under par. (kj) the amounts in~~
7 ~~the schedule under par. (kj).~~ ✓

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; 2009 a. 28, 179, 358; 2011 a. 32, 35.

8 **SECTION 3.** 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (kc) and

9 amended to read:

10 20.455 (5) (kc) *Crime victim and witness surcharge, sexual assault victim*
11 *services.* All moneys received from any crime victim and witness assistance
12 surcharge authorized under s. 973.045 (1) that are allocated to this appropriation
13 account under s. 973.045 (2m) (a), to provide The amounts in the schedule for the
14 purposes of providing grants for sexual assault victim services under s. 165.93 and
15 to administer administering the grant program. All moneys transferred from the
16 appropriation account under s. 20.455 (2) (i) ^{a 8m.} shall be credited to this appropriation
17 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30
18 of each year shall be transferred to the appropriation account under s. 20.455 (2) (i).

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; 2009 a. 28, 179, 358; 2011 a. 32, 35.

****NOTE: This SECTION involves a change in an appropriation that must be ✓
reflected in the revised schedule in s. 20.005, stats.

****NOTE: Please review this provision to ensure it is consistent with your intent. ✓

19 **SECTION 4.** 20.455 (5) (kj) of the statutes is renumbered 20.455 (5) (e) and
20 amended to read:

1 20.455 (5) (e) *Victim payments, victim surcharge.* The amounts in the schedule
2 for the payment of compensation and funeral and burial expenses awards to the
3 victims of crimes under subch. I of ch. 949. ~~All moneys transferred from the~~
4 ~~appropriation account under par. (g) shall be credited to this appropriation account.~~ ✓

5 If the department of justice determines that the total of the amounts in this
6 appropriation account and the amounts for compensation and awards to victims of
7 crime under subch. I of ch. 949 in the appropriation accounts under pars. (b), (h), (i)
8 and (m) exceeds the amount needed to fully fund compensation and awards to victims
9 of crimes under subch. I of ch. 949, the department of justice may transfer moneys
10 from this appropriation account to the appropriation account under par. (kk). The
11 amount transferred to the appropriation account under par. (kk) may not exceed the
12 amount by which the total amounts appropriated under this paragraph and pars. (b),
13 (h), (i) and (m) for compensation and awards to victims of crimes under subch. I of
14 ch. 949 exceed the amount needed to fully fund compensation and awards to victims
15 of crimes under subch. I of ch. 949.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; 2009 a. 28, 179, 358; 2011 a. 32, 35.

****NOTE: Please review this; is this what you intended?

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 5.** 20.455 (5) (kk) of the statutes is amended to read:

17 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*
18 *services.* All moneys transferred from the appropriation account under par. (kj) (e) ✓
19 for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in
20 providing services to victims and witnesses.

History: 1971 c. 125; 1973 c. 90, 336; 1975 c. 39 s. 732 (1); 1975 c. 224; 1977 c. 29, 418; 1979 c. 34 ss. 286m, 290, 523 to 526; 1979 c. 189, 219, 355; 1981 c. 20, 169; 1983 a. 27 ss. 427 to 430, 1800; 1983 a. 199, 523; 1985 a. 29, 120; 1987 a. 27, 326, 399; 1989 a. 31, 122, 336; 1991 a. 11, 39, 269; 1993 a. 16, 98, 193, 460, 496; 1995 a. 27 ss. 1014h to 1029, 9126 (19), 9130 (4); 1995 a. 227; 1997 a. 27, 237; 1999 a. 5, 9, 186; 2001 a. 16, 109; 2003 a. 33, 139, 309, 326; 2005 a. 25 ss. 356c to 363r, 415m to 415v, 415w, 416g, 416h; 2005 a. 60, 254, 433; 2007 a. 1; 2007 a. 20 ss. 482 to 500, 9121 (6) (a); 2007 a. 200; 2009 a. 28, 179, 358; 2011 a. 32, 35.

21 **SECTION 6.** 165.93 (2) (a) of the statutes is amended to read:

165.93 (2) (a) Beginning on January 1, 1995, the department shall provide grants to eligible organizations from the appropriation under s. 20.455 (5) ~~(ge)~~ (kc) to provide services for sexual assault victims.

History: 1993 a. 16, 227; 1995 a. 225; 2005 a. 253, 277, 278; 2007 a. 1.

SECTION 7. 973.045 (1r) of the statutes is repealed.

SECTION 8. 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to the secretary by the county treasurer under this subsection and any amount collected under sub. (4).

History: 1983 a. 27; 1987 a. 27; 1989 a. 31; 1993 a. 16; 1995 a. 20; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28; 2011 a. 32, 257; 2011 a. 260 s. 81; s. 13.92 (1) (bm)

SECTION 9. 973.045 (2m) of the statutes is repealed.

SECTION 10. 973.045 (3) of the statutes is repealed.

(END)

Hanaman, Cathlene

From: Kirby, Peter W - DOA <Peter.Kirby@wisconsin.gov>
Sent: Wednesday, January 09, 2013 2:06 PM
To: Hanaman, Cathlene
Subject: Crime Victim Compensation Changes

Good Afternoon Cathlene,

A modification needs to be made to 0538/P1. I believe originally there was a \$2,000,000 PR transfer from penalty surcharge to the sexual assault victim compensation program. This needs to be switched to GPR and I think an appropriation needs to be set up.

Thank you,

Peter

Peter Kirby
State Budget Office
Phone: 608.267.0370



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0538/PA

CMH:wlj:rs

Stay

DOA:.....Kirby, BB0093 – Crime Victim Compensation Changes

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

JUSTICE

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.455 (2) (i) 8m. of the statutes is created to read:

3 20.455 (2) (i) 8m. The amount transferred to sub. (5) (lc) shall be the amount
4 in the schedule under sub. (5) (lc). gc

5 SECTION 2. 20.455 (5) (g) of the statutes is amended to read:

6 20.455 (5) (g) *Crime victim and witness assistance surcharge, general services.*

7 The amounts in the schedule for purposes of ch. 950. All moneys received from any
8 crime victim and witness assistance surcharge authorized under s. 973.045 (1) that

1 ~~are allocated to this appropriation account under s. 973.045 (2m) (b), all moneys~~
2 ~~received from any crime victim and witness assistance surcharge authorized under~~
3 ~~s. 973.045 or (1m), and all moneys received from any delinquency victim and witness~~
4 ~~assistance surcharge authorized under s. 938.34 (8d) (a) shall be credited to this~~
5 ~~appropriation account. The department of justice shall transfer from this~~
6 ~~appropriation account to the appropriation account under par. (kj) the amounts in~~
7 ~~the schedule under par. (kj).~~

8 Fix
Comp SECTION 3. 20.455 (5) (gc) of the statutes is renumbered 20.455 (5) (kc) and
9 amended to read:

10 20.455 (5) ^{gc} ~~(kc)~~ *Crime victim and witness surcharge, sexual assault victim*
11 *services. All moneys received from any crime victim and witness assistance*
12 *surcharge authorized under s. 973.045 (1) that are allocated to this appropriation*
13 *account under s. 973.045 (2m) (a), to provide The amounts in the schedule for the*
14 *purposes of providing grants for sexual assault victim services under s. 165.93 and*
15 *to administer administering the grant program. All moneys transferred from the*
16 *appropriation account under s. 20.455 (2) (i) 8m. shall be credited to this*
17 *appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered*
18 *balance on June 30 of each year shall be transferred to the appropriation account*
19 *under s. 20.455 (2) (i).*

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

****NOTE: Please review this provision to ensure it is consistent with your intent.

20 SECTION 4. 20.455 (5) (kj) of the statutes is renumbered 20.455 (5) (e) and
21 amended to read:

22 20.455 (5) (e) *Victim payments, victim surcharge. The amounts in the schedule*
23 *for the payment of compensation and funeral and burial expenses awards to the*

1 victims of crimes under subch. I of ch. 949. ~~All moneys transferred from the~~
2 ~~appropriation account under par. (g) shall be credited to this appropriation account.~~

3 If the department of justice determines that the total of the amounts in this
4 appropriation account and the amounts for compensation and awards to victims of
5 crime under subch. I of ch. 949 in the appropriation accounts under pars. (b), (h), (i)
6 and (m) exceeds the amount needed to fully fund compensation and awards to victims
7 of crimes under subch. I of ch. 949, the department of justice may transfer moneys
8 from this appropriation account to the appropriation account under par. (kk). The
9 amount transferred to the appropriation account under par. (kk) may not exceed the
10 amount by which the total amounts appropriated under this paragraph and pars. (b),
11 (h), (i) and (m) for compensation and awards to victims of crimes under subch. I of
12 ch. 949 exceed the amount needed to fully fund compensation and awards to victims
13 of crimes under subch. I of ch. 949.

****NOTE: Please review this; is this what you intended?

****NOTE: This SECTION involves a change in an appropriation that must be
reflected in the revised schedule in s. 20.005, stats.

14 **SECTION 5.** 20.455 (5) (kk) of the statutes is amended to read:

15 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*
16 *services.* All moneys transferred from the appropriation account under par. ~~(kj)~~ (e)
17 for the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in
18 providing services to victims and witnesses.

19 **SECTION 6.** 165.93 (2) (a) of the statutes is amended to read:

20 165.93 (2) (a) Beginning on January 1, 1995, the department shall provide
21 grants to eligible organizations from the appropriation under s. 20.455 (5) ~~(ge)~~ (kc)
22 to provide services for sexual assault victims.

23 **SECTION 7.** 973.045 (1r) of the statutes is repealed.

SECTION 8. 973.045 (2) of the statutes is amended to read:

973.045 (2) After the clerk determines the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county treasurer shall then make payment to the secretary of administration under s. 59.25 (3) (f) 2. The secretary of administration shall credit to the appropriation account under s. 20.455 (5) (g) the amount paid to the secretary by the county treasurer under this subsection and any amount collected under sub. (4).

SECTION 9. 973.045 (2m) of the statutes is repealed.

SECTION 10. 973.045 (3) of the statutes is repealed.

(END)

Hanaman, Cathlene

From: Kirby, Peter W - DOA <Peter.Kirby@wisconsin.gov>
Sent: Wednesday, January 23, 2013 2:37 PM
To: Hanaman, Cathlene
Subject: 0538/P2

Hi Cathlene,

A few notes on 0538/P2.

- 1) I think 5(gc) needs to be outright eliminated.
- 2) Why is KJ being renumbered e?
- 3) A specific appropriation needs to be created for SAVS in order to receive GPR.
- 4) I think the reference to SAVS in 165.93(2)(a) needs to be eliminated.

I apologize, I've been so far down the rabbit hole on this for the past couple of months it's hard to see straight, so I doubt I'm properly explaining it. Here's what I'm trying to do:

- Eliminating composite Parts A, B and C and credit all victim and witness surcharge amounts in one appropriation and credit all surcharge amounts to victim/witness assistance. ✓
- Eliminate the transfer from victim/witness assistance to the crime victim compensation program. ✓
- Transfer \$2,000,000 GPR annually to the sexual assault victim services program. (I believe an appropriation needs to be set up. I don't think you care about the monetary amount.)
- Redirect \$1,267,200 GPR from the victim/witness assistance program to the crime victim compensation program.
- Below are what the changes would look like:

Program	Current Fund Source	Proposed Funding Sources
Crime Victim Compensation	PR (Restitution, V/W), FED, GPR	GPR, FED
Victim/Witness Assistance	PR (PAS, V/W), GPR	PR (PAS, V/W)
Sexual Assault Victim Service	PR (V/W)	PR (PAS)

Does this make it any more clear? Please let me know if it doesn't.

Thank you,

Peter

Peter Kirby
State Budget Office
Phone: 608.267.0370